

REMARKS/ARGUMENTS

Claims 1-21 are pending. Claims 1, 8, 9, 12, 13, 19 and 21 have been amended.

The Drawings were objected to as failing to comply with 37 CFR 1.84(p)(4).

Specifically, Figure 6 has been objected to as including a reference character "608" that refers to two objects, and because a reference character for an object is missing. Correction to Figure 6, in the form of a replacement drawing sheet and an annotated drawing sheet showing the changes, has been made. Specifically, one occurrence of "608" has been changed to "610" (a corresponding amendment in the specification has also been made) and "612" has been assigned to the previously unidentified object in accordance with the specification at page 13, line 12.

The specification has been objected to. Specifically, the use of trademarked term "Hotmail(TM)" was stated to be improper. Correction has been made by capitalizing all characters in the trademarked term. Additionally, various informalities related to Figure indications and reference characters were objected to. Appropriate correction has been made by amendments to the specification, as well as amendments to the drawings as discussed above. Additional amendments to the specification to correct minor grammatical errors have also been made.

Claims 8, 12 and 13 were rejected under 35 USC, §112, second paragraph, as lacking in antecedent basis in various limitations. Appropriate correction has been made by amendments to the claims.

Claims 1-4, 7-13, 19 and 21 have been rejected under 35 USC §102(a) as being anticipated by the Help System of the SnagIt software, version 4.3 (hereinafter "SnagIt").

Claims 5, 6, 14-18 and 20 have been rejected under 35 USC §103(a) as being unpatentable over SnagIt in view of U.S. Patent No. 6,400,378 to Snook (claims 5, 6, 16, 17 and 20), or in view of U.S. Patent No. 6,424,996 to Killcommons (claims 14 and 15), or in view of U.S. Patent No. 6,094,277 to Toyoda (claim 18).

Applicants respectfully request withdrawal of the pending anticipation and obviousness rejections for at least the following reasons.

SnagIt is directed to a plug-in module that allows a user to capture a screen shot. A user may send a message including a captured screen shot to an e-mail recipient by sending the message to an external e-mail client such as Microsoft Exchange for sending to the e-mail recipient.

One aspect of the present invention, to the contrary, allows a user to capture a screenshot during execution of a game application, add messaging information to create a composite message, and send the composite message with the captured screen shot to an intended recipient over a network without leaving the executing game environment. All this is performed seamlessly from within the game application. Advantageously, by incorporating the composite message generation and sending features within the game application itself, a user is able to send composite messages from within the executing game application without exiting the game application or unduly hindering gameplay. The user, in this manner, is able to seamlessly immerse herself into a game world and share an aspect of the game world, such as a screenshot, with other users on a network without having to leave the world or unduly disrupt gameplay.

Applicants respectfully assert that SnagIt fails to teach or suggest the invention as presently claimed. For example, SnagIt fails to teach or suggest the limitation of "sending the composite message from within the game application to the intended recipient over a network" as is recited in claim 1. (emphasis added) Similarly, SnagIt fails to teach similar limitations in independent claims 9 and 19. Rather, SnagIt requires the use of an external 32-bit MAPI mail client such as Microsoft Exchange to send messages to a recipient. See, *e.g.*, SnagIt, Figures 3 and 6. Thus, SnagIt requires that a user exit the application to send a message using an external e-mail client. Accordingly, SnagIt neither teaches nor suggests sending a composite message from within a game application as is recited in all pending claims.

Additionally, SnagIt fails to teach or suggest generating a message form from within a game application as is recited in claim 1, for example. There is simply no teaching in the SnagIt reference that would enable one skilled in the art to implement SnagIt with a game application. Nonetheless, whether or not it would be possible to include or configure SnagIt to operate with a game application, which Applicants assert that it would not be possible, any resulting output message would still be required to be sent to an external mail client for sending

to a recipient over a network. Such an implementation would require that gameplay of a game application be unduly disrupted, and possibly even stopped completely, to allow the user to send a message.

It is also respectfully submitted that the Killcommons, Toyoda and Snook references fail to remedy the defects in SnagIt as discussed above.

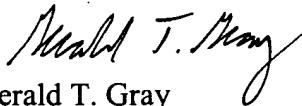
Accordingly, Applicants respectfully assert that independent claims 1, 9 and 19 are novel and non-obvious in view of SnagIt, and the other cited references, for at least the above reasons. Applicants also respectfully assert that all claims depending from independent claims 1, 9 and 19 are also novel and non-obvious in view of SnagIt based at least on their dependency from those claims. Applicants also respectfully disagree, however, with the specific rejections to the dependent claims, but believe responding to such rejections is unnecessary at this time in view of the current status of the base independent claims.

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 925-472-5000.

Respectfully submitted,


Gerald T. Gray
Reg. No. 41,797

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, Eighth Floor
San Francisco, California 94111-3834
Tel: 925-472-5000
Fax: 415-576-0300
Attachments
GTG:sea
60082180 v1